

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

M - 22 - 503

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID VELCU,
a/k/a Luca Antoni
[DOB: 01/14/1995]

Defendant.

No. _____

COUNT ONE:

*(Possession of Fifteen or More Counterfeit
or Unauthorized Access Devices)*

18 U.S.C. §§ 1029(a)(3) and (c)(1)(A)(i)

NMT 10 Years' Imprisonment

NMT \$250,000 Fine

NMT 3 Years Supervised Release

Class C Felony

Allegations of Criminal Forfeiture

18 U.S.C. §§ 981(a)(2)(B) and 1029 and

28 U.S.C. § 2461

\$100 Mandatory Special Assessment

INDICTMENT

THE GRAND JURY CHARGES THAT:

On or about April 10, 2018, in the Western District of Missouri, the defendant, DAVID VELCU, a/k/a Luca Antoni, knowingly and with intent to defraud, possessed at least 15 unauthorized access devices, that is, approximately 78 re-encoded magnetic stripe gift cards, and the offense affected interstate commerce, in violation of Title 18, United States Code, Sections 1029(a)(3) and (c)(1)(A)(i).

ALLEGATIONS OF CRIMINAL FORFEITURE

The allegation contained in Count One of this Indictment is re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C).

Upon conviction of the offense in violation of Title 18, United States Code, Section 1029 set forth in Count One of this Indictment, the defendant shall forfeit to the United States (a) all

property, real and personal, used and intended to be used to commit the offense and (b) any property constituting or derived from, proceeds obtained, directly or indirectly, as a result of such violation including a money judgment.

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant –

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property, which cannot be subdivided without difficulty;

the United States of America shall be entitle to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18 United States Code, Section 982(b)(1) and 1029(c)(2) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of defendant up to the value of the above-described forfeitable property.

All pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c) and Title 28, United States Code, Section 2461(c).

A TRUE BILL.

FOREPERSON OF THE GRAND JURY

/s/ Kimberlee L. Moore
Kimberlee L. Moore
Special Assistant United States Attorney

Dated: 5/1/18
Kansas City, Missouri